

**FLEIT, KAIN,  
GIBBONS, GUTMAN  
BONGINI & BIANCO P.L.  
ATTORNEYS AT LAW**

Miami • Fort Lauderdale • Boca Raton

Fleit, Kain, Gibbons, Gutman,  
Bongini & Bianco P.L.  
551 NW 77th Street, Suite 111  
Boca Raton, Florida 33487  
Telephone: (561) 989-9811  
Facsimile: (561) 989-9812  
writer's e-mail: [jgibbons@FocusOnIP.com](mailto:jgibbons@FocusOnIP.com)

## TELECOPIER TRANSMITTAL FORM

RECEIVED  
CENTRAL FAX CENTER

NOV 25 2005

**DATE:** November 25, 2005  
**TO:** Examiner Trenton J. Roche  
**FIRM:** USPTO, Group Art Unit 2193  
**FAX #:** (571) 273-8300  
**PHONE:** (571) 272-3733  
**FROM:** Jon A. Gibbons

**TOTAL NUMBER OF PAGES: 23  
(INCLUDING THIS PAGE)**

IF YOU DO NOT RECEIVE ALL PAGES CLEARLY, PLEASE CONTACT US IMMEDIATELY

### MESSAGE:

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**Applicant(s):** Victor R. HERRERO

**Serial No.:** 09/896,657

**For:** *AUTOMATED ENTITLEMENT VERIFICATION  
FOR DELIVERY OF LICENSED SOFTWARE*

#### **Enclosed are the following:**

Transmittal Letter (1 page); and Response with Amendment ( 21 pgs.)

Docket No.: POU920010051US1 140-A01-007

November 25, 2005

CONFIDENTIALITY NOTE: THE INFORMATION CONTAINED IN THIS TRANSMISSION IS LEGALLY PRIVILEGED AND CONFIDENTIAL, INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU RECEIVE THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE (COLLECT) AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE LISTED ADDRESS VIA THE U.S. POSTAL SERVICE. WE WILL REIMBURSE YOU FOR POSTAGE AND/OR TELEPHONE EXPENSES INVOLVED. THANK YOU.

**"Focus on IP"**

[www.FocusOnIP.com](http://www.FocusOnIP.com)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of  
 Victor R. HERRERO, et al.  
 Serial No. 09/896,657  
 Filed: June 29, 2001

: Atty. Docket No. POU920010051US1  
 : Group Art Unit: 2193  
 : Examiner: Trenton J. Roche  
 : Confirmation No. 8494

For: AUTOMATED ENTITLEMENT VERIFICATION FOR DELIVERY OF LICENSED SOFTWARE

TRANSMITTAL

RECEIVED  
 CENTRAL FAX CENTER

NOV 25 2005

**MAIL STOP AMENDMENT**  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

SIR:

Transmitted herewith is an amendment in the above-identified application, and the following:

No additional filing fee is required.

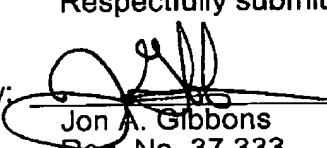
The fee has been calculated as shown below. (Small entity fees indicated in parentheses.)

| CLAIMS AS AMENDED                               |                                  |                                     |                                       |  |          |               |
|---|----------------------------------|-------------------------------------|---------------------------------------|--|----------|---------------|
| (1)   | (2)                              | (3)                                 | (4)                                   | (5)                                      | (6)      | (7)           |
|   | Claims Remaining After Amendment |                                     | Highest Number Previously Paid For    | Extra Claims                             | Rate     | Fee           |
| <b>Total Claims<br/>(Small Entity)</b>          | <u>16</u>                        | -                                   | <u>20</u>                             | <u>0</u>                                 | 50.00    | <u>0</u>      |
|   |                                  |                                     |                                       |  | (25.00)  |               |
| <b>Independent claims<br/>(Small Entity)</b>    | <u>6</u>                         | -                                   | <u>7</u>                              | <u>0</u>                                 | 200.00   | <u>0</u>      |
|   |                                  |                                     |                                       |  | (100.00) |               |
| <b>Multiple Dependent<br/>(Small Entity)</b>    | <u>0</u>                         | -                                   | <u>0</u>                              | <u>0</u>                                 | 360.00   | <u>0</u>      |
|   |                                  |                                     |                                       |  | (180.00) |               |
| <b>Extension of Time Fee<br/>(Small Entity)</b> |                                  | <b>One Month</b><br>\$120<br>(\$60) | <b>Two Months</b><br>\$450<br>(\$225) | <b>Three Months</b><br>\$1020<br>(\$510) |          | <u>0</u>      |
|   |                                  |                                     |                                       |  |          |               |
| <b>Total</b>                                    |                                  |                                     |                                       |  |          | <b>\$0.00</b> |

XX The Commissioner is hereby authorized to charge any required fees to Deposit Account No. 09-0463.

Respectfully submitted,

By:

  
 Jon A. Gibbons  
 Reg. No. 37,333

Customer No. 23334

Fleit, Kain, Gibbons, Gutman, Bongini & Bianco P.L.  
 551 NW 77th Street, Suite 111  
 Boca Raton, Florida 33487  
 Telephone: (561) 989-9811  
 Facsimile : (561) 989-9812

RECEIVED  
CENTRAL FAX CENTER  
NOV 25 2005

PATENT

CERTIFICATE OF MAILING OR TRANSMISSION

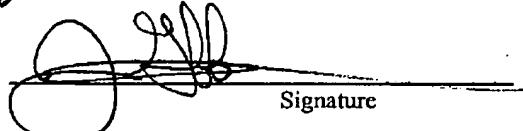
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class envelope addressed to: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below: On November 25, 2005

Date

Name

Signature

Jon Gibbons



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

|              |   |                   |                    |      |
|--------------|---|-------------------|--------------------|------|
| Appl. No.    | : | 09/896,657        | Confirmation No. : | 8494 |
| Applicant    | : | Victor R. Herrero |                    |      |
| Filed        | : | 06/29/2001        |                    |      |
| TC/A.U.      | : | 2124              |                    |      |
| Examiner     | : | Trenton J. ROCHE  |                    |      |
| Docket No.   | : | POU920010051US1   |                    |      |
| Customer No. | : | 23334             |                    |      |

**VIA FACSIMILE (571) 273-8300**

MS AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450  
Attention: Examiner ROUCHE (571) 272-3733

**RESPONSE WITH AMENDMENT UNDER 37 C.F.R. § 1.111**

Sir:

The following amendment is being submitted in response to the non-final Office Action dated August 24, 2005 on the three-month response date of Friday November 25, 2005, the first business day after November 24, 2005. Please enter and consider the following amendment and remarks as follows:

**Table of Contents for Each Section of this Response**

|                    |    |
|--------------------|----|
| IN THE CLAIMS..... | 2  |
| REMARKS.....       | 9  |
| CONCLUSION.....    | 20 |

POU920010051US1

1 of 21

09/896,657